

MEETING #11 March 10

At a Regular Meeting of the Madison County Board of Supervisors on March 10, 2009 at 3:00 p.m. in the Madison County Administrative Center Auditorium:

PRESENT: Eddie Dean, Chairman, Eddie Dean
 James L. Arrington, Vice-Chairman
 William L. Crigler, Member
 Bob Miller, Member
 Clark Powers, Member
 V. R. Shackelford, III, County Attorney
 Lisa A. Robertson, County Administrator
 Jacqueline S. Frye, Secretary

Chairman, Eddie Dean called the meeting to order and announced that a Quorum was present.

IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION

Donald Gore, Resident Engineer, was present and stated that Route 642 (Duet Road) has been advertised and bids should be opened on March 25th; also advised that existing labor with the department has been consisting of intensive maintenance (result from funding shortage); also working on the Six Year Road Improvement Plan and a tentative plan should be completed within the next month – no additional improvements can be added to the plan unless there is sufficient funding to fund all work.

Robert Finks asked about the upcoming mowing schedule; to which Donald Gore stated would be reduced with mowing being done on right-of-way areas once every four (4) years – other areas (to include secondary roadways) will only be mowed to improve safety and site distance.

Donald Gore reminded the Madison County Board of Supervisors that the purpose of the Public Hearing that will be held at the Daniel Technology Center (Germanna Community College – Culpeper) on March 19, 2009 @ 6:00 p.m. to discuss proposed reductions in the level of service provided by the Virginia Department of Transportation – he asked that representatives attend on behalf of localities to verbalize concerns regarding the aforementioned concerns – the presentation will consist of a power-point slide and various details of the future plan.

Lisa Robertson, County Administrator, commented on the majority of roadways in Madison County and the category label these fall under, to which Donald Gore advised that Route 230 and 231 fall into category III and most other roadways in Madison County are category 4 or 5 (which includes gravel roads) as based on the amount of travel that takes place.

Clark Powers asked about the handout and for clarification as to what “response time” denotes, to which Donald Gore advised this relates to the time frame involved from the time a call is received regarding any roadway issues/problems and corrections are implemented on behalf of the Virginia Department of Transportation.

IN RE: PAYROLL & CLAIMS

Chairman, Eddie Dean asked if there were any concerns about the Payroll & Claims Report as presented for February 2009.

After discussion, on motion of James L. Arrington, seconded by Clark Powers, the warrants issued in satisfaction of payroll for February 2009 (Checks #30110476-484, #30110485-494 and electronic transfer #20), are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

On motion of James L. Arrington, seconded by William L. Crigler, the warrants issued in satisfaction of claims against the County for February 2009 (Checks #10130093-130242; 130248-130268) are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Chairman, Eddie Dean advised the Board will need to approve the certificate of Claims Capital Fund – February 2009 – [Checks 10139092; 10130243-247 and 10130269).

On motion of James L. Arrington, seconded by William L. Crigler, the Certificate of Claims Capital Fund – February 2009, are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Chairman, Eddie Dean advised the Board will need to approve Supplements for February 2009:

1.	Park & Recreation #71100-5690	Youth Sports Deposits	\$10,822.50
2.	Park & Recreation #71100-5690	Health Fitness Deposits	\$ 1,552.00
3.	Sheriff Dept – Law Enforcement #31200-1730	DMV Grant	\$ 9,348.65
4.	Sheriff Dept – Law Enforcement #31200-8104	DCJS Grant	\$ 1,061.00
TOTAL:			\$22,784.15

After discussion, on motion of Clark Powers, seconded by James L. Arrington, the supplemental appropriations in the amount of \$22,784.15 were approved as presented, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

IN RE: SCHOOL SYSTEM:

Dr. Brenda Tanner, Superintendent, was present and stated the Madison County School Board meeting took place on Monday night and recognized several students who participated in a national poster contest; also had members of various athletic teams present to be recognized (i.e. district, regional, state); also stated the MCHS Basketball Team has a game scheduled for Thursday in Richmond, VA @ 7:00 p.m. – arrangements are being made to accommodate students and others who wish to travel to Richmond to support the team.

Dr. Tanner stated the school system recognized an award given by the Governor of Virginia to Madison County High School (Excellence Award) and the Madison Primary School (i.e. Competence Excellence Award); also stated there was discussion about a summer program – once regulations are received regarding Title I Recovery Act Funds (to flow directly to the school division) these funds will be about \$9,800.00 annually for two years and must be utilized in the area of reading only for “at risk” students – these funds are primarily utilized @ the primary and elementary level and cannot be used in any other manner (federal regulations). She stated the school system is looking to try to put together a summer program (to include stimulus funds) to offer a summer school reading program for primary and elementary students during the summer of 2009. In closing, more will be noted once regulations have been forwarded (on anticipated stimulus funds). Additional information provided concerned the General Assembly budget with the veto date being noted as April 8th, 2009 – should know in early April 2009 as to what local school funds will be. It is anticipated the County school system will get funds to offset the initial reduction that was anticipated (over \$900,000.00); however, the General Assembly’s budget has restored some of the state funding through the use of stabilization funds – stimulus act has stabilization money that will go directly to the Department of Education for distribution to the schools; however, it is unknown as to what means will be utilized in distribution of said funding, but it is deemed that Madison County could receive about \$500,000.00, if the Governor accepts what is being proposed by the General Assembly.

In closing, Dr. Tanner stated the Madison County School Board would like to schedule a Joint Meeting with the Madison County Board of Supervisors on Wednesday, March 25, 2009 @ the Wetsel Middle School Library beginning at 7:00 p.m. (i.e. to discuss performance contracting); also advised that registration for pre-school and kindergarten will be held on Wednesday, March 11th, 2009; the Madison County School Board meeting in April will be held on April 6th, 2009 in lieu of the spring break.

William L. Crigler asked if the \$500,000.00 can be used in any specific manner, to which Dr. Tanner advised these funds will be denoted as “grant money.” Additionally, Dr. Tanner stated it has been noted that the stabilization funds may be

reimbursable during the second year which is of major concern to the Madison County School system rather than appropriated which calls for careful action with these funds.

After discussion, members of the Madison County Board of Supervisors agreed to the Joint Meeting date Wednesday, March 25, 2009 @ the Wetsel Middle School Library to begin @ 7:00 p.m. (with Madison County School Board).

IN RE: COUNTY FACILITIES

Ross Shifflett, Director of Facilities, was present and provided the following information in addition to the monthly report:

Waste Management bill for the month totaled:

- a) \$36,728.00
- b) \$1,213.00 fuel surcharge
- c) 650,000 lbs of woodchips @ Transfer Station
- d) March is “free brush” month @ Transfer Station

Ross Shifflett reported fields #1 and #2 at Hoover Ridge are being prepared for the spring sport season; also commented on County school sports program; fields #1 and #2 at Hoover Ridge are scheduled to be used during spring sports – fertilizer is being applied and in the process of determining what type of litter will be needed before use in the spring – improvements are on schedule to date; some fields are being utilized by high school sports for practice sessions – youth program will be hitting the fields during the next week; also stated the adoption rate at the Madison Animal Shelter has increased. .

James L. Arrington questioned whether chicken litter will be applied to the fields that are slated to be used for spring sports, to which Ross Shifflett advised it will not – (field #1 is directly behind the Madison Primary School – field #2 is on the other side).

Lisa Robertson, County Administrator, advised of a public announcement regarding the fact that no County decals will be issued during the next month and old County decals will need to be removed – also advised that a County decal will not be required for citizens to utilize the Madison Transfer Station (after April 1st) – old decals should be removed from private vehicles as they may hinder new inspections. Citizens may be asked to provide a valid VADL or vehicle registration to show proof they are, in

fact, a Madison County resident prior to entering the facility, from time to time, or residents may also ask for a sticker/tag to use that will be recognized.

Ross Shifflett advised that citizens have asked if the old County decals will be sold as collector's items.

Bob Miller suggested the items be placed on Ebay.

IN RE: SOCIAL SERVICES & CSA

Nan Coppedge, Director of Social Services, was present and stated her department has gotten some information about the economic stimulus funding that will be coming to State Social Services; however, it is unknown at this point as to how these funds will be disbursed to local departments; she also stated there are some efforts being implemented to help with the struggling economy – the food stamp program offers ABOD (Able Bodied Adult between the ages of 18 and 55) who are not working and can only attain food stamps every twelve (12) months – this guideline might be waived for the next eighteen months (18) as qualified individuals seeking employment are having difficulty; she also advised the state/local hospitalization program may be eliminated from the budget (about \$4,500.00 local dollars for the County); she feels the food stamp allotment amount will be increased on April 1st to recognize that people who are struggling do need food; also advised the food stamp program requires that applications be received in person (face-to-face) – however, it is anticipated this guideline will be waived and allow telephonic interviews to be conducted which will eliminate the need for employees (who have a need for this service) to take off from work to apply for food stamps.

In closing, Nan Coppedge stated there will be a health fair scheduled on April 7th, 2009 at the Madison Firehall from 5:00 p.m. to 7:00 p.m. (springing into safety [poison ivy, bee strings, sunblock). Also, the Aging Together group is having an "ITSA" Day (safety & transportation awareness) which is a program for older individuals that will focus on driving safety (i.e. mirror adjustments, seatbelts, inc.) and individuals can remain in their vehicles while safety checks are being initiated – will also provide car seat safety for younger drivers; food stamp applications handled in January 2009 was (40) and only (35) in February 2009 (all new cases for both months).

IN RE: CHAMBER OF COMMERCE

Tracey Williams, Tourism Director, was present and provided a report for the month of February 2009: Sweely mixer has been scheduled for March 19th, 2009 from 6:00 p.m. to 8:00 p.m. (wine/cheese tasting); newsletters sent out in February – invited folks to the Journey through Hallowed Ground focus group session - expert panel will be held Tuesday, March 17th; one new member joined the Chamber this month; lots of EXPO registrations received for May 14th – will also do the bulk mailing to all households; business appreciation committee will be meeting to pick the five (5) businesses that will be honored this year (Monday May 11th) and Wayne Waldrop will be the guest speaker; also stated the visitor's center had thirty (30) visitors in February with 5,030 hits to the website; attended the morning session of the VTC Road Show in Sperryville; also announced that Bike VA will be coming through Madison County this – week – no additional information has been received on this even; Main Street meeting took place on yesterday.

William L. Crigler asked if representatives for Bike VA spoke of the Sheriff's Department (security) or discussed reimbursement for security services, to which Tracey Williams advised this has been asked but not answered – she also asked if there was a back-up plan in case of bad weather as they could utilize the fairgrounds rather than destroying the Madison Library lawn.

In closing, Tracey Williams advised that Bike VA does have support staff but is separate from the Journey through Hallowed Ground – discussions will continue and they have been advised they will need to reimburse departments for special services that are rendered during the event.

IN RE: E-911

Robert Finks, E-911 Coordinator, provided a report for the month of February 2009: [(424 calls; (265) from home phones; (159); meeting with representatives from Motorola and also received an email regarding the stimulus package – nothing noted for funds being allocated for public safety communications at this point but will be advised if there is any change; also spoke with CODE Red – all data has been received from data for the County through the State of Virginia and are in the process of

converting this information to be utilized in the Reverse 911 System and a test call can be implemented to determine how many home telephones will be reached.

William L. Crigler asked if County residents will be contacted if they get a call, to which Robert Finks stated that test calls will be implemented and a count will be attained to determine how many actual calls were sent out (i.e. will compare the information to the Verizon database).

Bob Miller asked if the system is set up to leave a message in the event an answer isn't attained, to which Robert Finks stated it was.

Bob Miller also asked readout will show up when the call is made.

Robert Finks stated he wasn't exactly sure as to what will show up as the call is being made from Florida; however, he will check with the provider to see.

Dr. Brenda Tanner advised the Madison County School Board has an automated system and it has been set up to show the Madison County School Board telephone number on caller I.D. although the automated call is being made from another location; the system can also be set up to make a certain number of calls in the event .

Lisa Robertson, County Administrator, felt it would be best that local citizens be made aware of the future test calls; currently calls from the County all show up "Madison County Zoning" (with Verizon service) instead of denoting the actual County Departmental Office).

IN RE: EMERGENCY PREPAREDNESS

Carl Pumphrey, Emergency Management Services Director, was present and stated there an application was submitted for two (2) grants from Homeland Security for the pet supply trailer for usage during emergencies – trailer will provide remote shelter for animals, if needed, or can also be utilized at the Madison Animal Shelter – will hold up to about sixty (60) animals – this will help in keeping pets from being separated from their owners in the event of an emergency (valued at \$25,000 - \$30,000); also stated there

is a list of equipment that comes with the trailer (i.e. generator, cages, special lighting, etc.).

William L. Crigler asked if the trailer was ventilated, to which Carl Pumphrey advised that he was unsure, but will check as he assumes there is a ventilation system in the roof.

Carl Pumphrey stated he also spoke with the representative who will forward information on the trailer as soon as it is received.

Carl Pumphrey also stated that Tier Two reporting for haz-mat facilities within Madison County is about twenty-five percent (25%) complete (i.e. businesses with a reportable amount of fire/hazard materials on site [17 facilities within the area]) – once all documentation is received, he will meet with representatives from the Madison County Fire Department and other emergency providers in an effort to coordinate what course of action to take should any of the proposed sites have an emergency.

IN RE: EMS, CAREER

Lewis Jenkins, EMS Coordinator, was present and verbalized concerns regarding the Virginia Department of Transportation's proposal to refrain from frequent mowing of the right-of-ways on the roadways every four (4) years, as this may cause create difficulty for school buses and ambulances that are required to travel the secondary roadways in Madison County.

Lewis Jenkins provided statistics for the month of February 2009 to be as follows:

Total calls toned: 75; Total calls handled: 71; Total calls (no response): 4 [(4) Greene calls were not answered]; Avg. in-County response time to the scene: 10 minutes; Night coverage: (11) hours of night coverage on (13) nights; total calls handled: (11).

Lewis Jenkins also advised that Robert Walker resigned and testing will be

initiated on March 17th and invited the Board members to attend if they so desire; also stated that training was cancelled due to the snow storm; there were a couple slow responses during the month as a result of inclement weather.

IN RE: MADISON VOLUNTEER RESCUE SQUAD

William L. Crigler read the following report provided by the Madison Volunteer Rescue Squad for the month of February 2009:

Medical emergencies:

- 22 Transports
- 1 Refusal
- 2 Treated, transferred care to Pegasus
- 1 Cancelled

MVC:

- 1 Transports
- 1 Treated, transferred care to Pegasus

Injury not listed:

- 1 Cut (refusal)
- 1 Fall (treated went POV)
- 2 Transported
- 1 Puncture wound (treated and released)

Public service:

- 1 Fall (no treatment required)
- 2 Standby at basketball game

Standby:

- 1 Vehicle fire (cancelled)
- 1 Suicide attempt (cancelled)
- 1 House fire (no treatment required)

Total calls for the month of February 2009: 40

IN RE: LAW ENFORCEMENT & COURT SECURITY

Erik Weaver, Sheriff, provided the following report for February 2009:

1. Calls for service: 779
2. Criminal Arrests: 25
3. Civil Service Process 412
4. Traffic related summons: 149
5. Court days: 14

6. Court security fees (paid to the Treasurer): \$2,987.82
7. Local fines from highway safety (paid to the Treasurer): \$6,382.16

Erik Weaver, Sheriff, spoke of the two (2) grants that have been received; also stated there is a grant for 'bike smart' that is used to purchase helmets for the children (\$900.00) – he asked for the County to put up the funds for the purchase of the helmets and a reimbursement will be received at a later time. Also stated there is a rural Virginia grant (reference to the [2] cars - \$50,000.00_eed to be voted on before the department can move forward. Also spoke briefly on the regional grant totaling \$60,000.00 – department is ready to move forward with and purchases will be made (i.e. County to pay and reimbursement to follow).

Erik Weaver, Sheriff, stated that Randy Jenkins, Deputy, will be available to answer and questions pertaining to the grant; also provided a brief overview of the Bike VA event – should be about 6,000 people present for the event.

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the Board authorized for the Madison County Sheriff's Department to move forward with making an application for the two (2) grants totaling \$110,000.00 (i.e. \$50,000.00 & \$60,000.00), with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

IN RE: ZONING FEES & BUILDING PERMITS

Chairman, Eddie Dean advised that reports for Zoning & Building are in the rear of tonight's notebooks.

Lisa Robertson, County Administrator, stated the reports provided are self-explanatory – applications for zoning and building permits are down this month.

IN RE: PUBLIC COMMENT

Beverly Heroy was present on behalf of her mother, Kathleen Shifflett who resides at 39 Jacks Shop Road – she is concerned that Madison County doesn't have a zoning ordinance that pertains to neighbors riding four-wheelers late at night (while others are sleeping [i.e. 2:00 a.m.]) and she feels something should be in order to denote

some type of curfew of “no four-wheelers after 10:00 p.m. through 6:00 a.m. daily” in order to allow residents some quality time to rest. In closing, she stated there was a recent incident involving the neighbors during which time a round of shots was fired off in the neighborhood – doesn’t really want to get into a “contest” with the neighbors (called the Sheriff’s Department regarding this incident).

Chairman, Eddie Dean stated there have been requests for other issues similar to the one being brought forth and these issues have been referred to the Madison County Planning Commission – today’s concern will also be referred – he asked Ms. Heroy to contact Lisa Robertson, County Administrator, for follow up regarding this issue in about two (2) weeks.

Beverly Heroy asked if she should attend the Madison County Planning Commission’s Workshop session, to which Lisa Robertson, County Administrator, advised the workshop session isn’t open for public comments.

Chairman, Eddie Dean suggested that concerns be submitted to the Madison County Planning Commission in writing or to Lisa Robertson, County Administrator – he also suggested that contact be made within the next couple weeks to note progress regarding the request.

IN RE: COURTHOUSE PROJECT

Lisa Robertson, County Administrator, stated the renovations to the courthouse are progressing well; she plans to attend a meeting tomorrow to receive further updates.

Chairman, Eddie Dean asked if the completion date is still on target, to which Lisa Robertson, County Administrator, advised there have been no delays detected (to date) which would cause any interference.

William L. Crigler stated the architect has invited the Board members to tour the structure.

Lisa Robertson, County Administrator, asked the Board members to let her know when they’d like to schedule a tour of the facility (i.e. separately or in groups) and she’ll contact the site superintendent to advise of the plans.

Chairman, Eddie Dean asked if the Board could show up as a group, to which Lisa Robertson, County Administrator, could be done if a special meeting was scheduled to accommodate the visit.

IN RE: COMMITTEE REPORTS

Rappahannock-Rapidan Regional Commission:

James L. Arrington provided an update and advised that the Rural Transportation Committee met and rendered important information regarding a report that was received from Joe Springer of Parsons, Inc. (contractor to the Virginia Department of Transportation) and contained a regional long-range plan for locations in Madison where the analysis denoted ten (10) areas which had safety defects (i.e. intersection @ Shelby and Route 29; Route 662, etc.); he also stated the study is available on the organizations website in a PDF format. Additionally, he stated the analysis is to be adopted and incorporated once the State of Virginia has adequate funds to follow through with the changes. Also noted was information on the Rt. 29 Corridor Study – a briefing has been scheduled at the Daniel Technology Center in Culpeper, Virginia from 2:00 p.m. to 5:00 p.m. on Thursday, March 31, 2009.

William L. Crigler asked what specific area does the Route 29 Corridor Study cover.

Robert Finks advised the corridors line runs from North Carolina through Northern Virginia (Route 66); he also stated there has been concerns regarding subdividing the area and adding service road entrances or constructing a rail system in the middle of Route 29 to run from just past Charlottesville, Virginia through to the DC area and tie with the metro system.

OLD BUSINESS/NEW BUSINESS:

William L. Crigler asked if there would be a representative for Madison County at the Public Hearing the Virginia Department of Transportation has scheduled in Culpeper on March 19, 2009.

James L. Arrington stated that he plans to attend the meeting.

Lisa Robertson, County Administrator, suggested that at least one (1) Madison County Board of Supervisors member should attend the meeting; she also advised that she will draft a letter to officials of the Commonwealth Transportation Board

to contain concerns as brought forth by Madison County (i.e. decrease in lines of service and safety issues).

IN RE: LEASE AGREEMENT (BETWEEN MADISON COUNTY & HUNTER WEAVER)

Lisa Robertson, County Attorney, advised that she met with Hunter Weaver to discuss updates to the lease agreement between Mr. Weaver and Madison County for acreage that he farms at Hoover Ridge. Additionally, it is Mr. Weaver's intent to amend the agreement to reflect the acreage that he is actually utilizing to grow crops (hay) – there is no longer any cattle being tended on the property. .

Lisa Robertson, County Attorney, provided a copy of the original leasing agreement with updates to be added; she also stated that Mr. Weaver no longer has cattle at the property and the lease agreements reflects this change.

In closing, Lisa Robertson, County Administrator, strongly suggested the Madison County Board of Supervisors move forward to approve the updated lease agreement (as amended) to reflect the arrangements between the lessee and the County of Madison.

James L. Arrington asked for the total acreage that is currently being occupied, to which Chairman, Eddie Dean stated was less than fifty acres (50).

**LEASE AGREEMENT BETWEEN THE BOARD OF SUPERVISORS OF
MADISON COUNTY AND HUNTER H. WEAVER**

THIS LEASE, made and entered into this 15th day of April, 2003 and revised March 10, 2009, by and between the **BOARD OF SUPERVIORS OF MADISON COUNTY, VIRGINIA**, hereinafter referred to as "Lessor", and **HUNTER H. WEAVER**, hereinafter referred to as "Lessee";

WITNESSETH:

That for an in consideration of the rent and covenants herein contained and to be performed, Lessor does hereby lease to Lessee, and Lessee does hereby rent from Lessor, for agricultural purposes, those portions of the farm formerly known as the Clore farm, now part of the public property referred to as "Hoover Ridge," located in Madison

County, Virginia, east of Virginia Route 687, and designated as Areas 1 (17.67 HEL), 5 (8.76), 7 (1.69), 8 (9.69) and 12 (12.13 HEL), as shown on the aerial photograph attached hereto as Exhibit 1 and made a part thereof, together herein referred to as the Premises.

The term of this lease shall begin on the 15th day of April 2003 and shall end on the 31st day of December 2008. Commencing January 1, 2009 the term of this lease shall be renewed for an additional one-year term and thereafter, unless and until either party terminates this lease, the lease shall automatically renew for successive one-year terms. On or before June 30 of any renewal term either party may cancel and terminate the lease, effective December 31, by providing written notice to the other party.

Rent for each renewal term of this lease shall be Fifteen Hundred Dollars (\$1,500.00) payable by lessee to the Treasurer of Madison County, Virginia, in two (2) installments as follows:

\$750.00 on or before June 5 each year; and

\$75.00 on or before December 5 each year

\$1,500.00

It is further understood and agreed as follows:

- (1) The farming use of the Premises will be conducted in a manner commensurate with
- (2) Lessee will spread/apply fertilizer and lime on the land that is cultivated for crops and hay, in keeping with the customary farming practices prevailing in Madison County.
- (3) Lessee will not permit waste or damage on the Premises and will take due care to prevent others from doing so.
- (4) Lessee will not leave machinery parked on the premises except as may be necessary for planting cultivation, and fertilizing.
- (5) Lessee will not assign this lease or sublet the Premises without the express written consent of Lessor.
- (6) The real estate taxes for the Premises, if any, will be the responsibility of Lessor.
- (7) Upon termination of the lease, the Lessee shall promptly remove his property from the Premises. In the event that crops or hay have not sufficiently matured to allow removal prior to the effective date of the termination, Lessee shall have the right to remove such property within a reasonable period of time thereafter.
- (8) Lessor retains and reserves the right to use a cross-country track across the Premises; provided, however, the location of

- such track shall not unreasonably interfere with the lessee's use of the Premises for agricultural purposes.
- (9) Lessee shall not cut or remove any timber of trees from the Premises.
- (10) Lessee agrees to indemnify and save Lessor harmless for any and all claims and liabilities related to the use of the Premises by him, his employees, his agents and/or his guests.

EXECUTED IN DUPLICATE AND APPROVED on March 10, 2009, on motion of William L. Crigler, seconded by James L. Arrington.

Witness the following signatures and seals

BOARD OF SUPERVISORS
OF MADISON COUNTY, VIRGINIA

By: _____
Eddie Dean, Chairman
Madison County Board of Supervisors

Attest:

Lisa Robertson, County Administrator
Madison County, Virginia

	Aye	Nay	Absent	Abstain
Eddie Dean	<u> x </u>	_____	_____	_____
James L. Arrington	<u> x </u>	_____	_____	_____
William L. Crigler	<u> x </u>	_____	_____	_____
Bob Miller	<u> x </u>	_____	_____	_____
Clark Powers	<u> x </u>	_____	_____	_____

After discussion, on motion of William L. Crigler, seconded by James L. Arrington, the amended lease agreement between the Madison County Board of Supervisors and Hunter H. Weaver is approved as presented and Lisa Robertson, County Administrator, is authorized to sign the lease agreement, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye

William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

James L. Arrington asked about the farmhouse that is located at Hoover Ridge and whether the structure is still being rented out.

Lisa Robertson, County Administrator, stated the farmhouse is no longer being rented.

Additionally, Lisa Robertson, County Administrator, also stated once the initial resident's lease expired and they vacated the premises, the structure proved to be an asset (i.e. kitchen facility, electricity) in conjunction with the farmer's market that is held at the site.

IN RE: MINUTES

Chairman, Eddie Dean advised that Minutes #5, #6, #7, #8 and #9 will need to be approved.

Lisa Robertson, County Administrator, also advised that a change will need to be voted and incorporated into Minutes #5 pertaining to the rezoning Case #Z-09-05-73 as presented by Carlyle Weaver for elderly housing.

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, Minutes #5 were adopted as amended on recommendation of the Madison County Planning Commission (incorporated into Minutes #5 and also attached to Minutes #11 dated March 10, 2009), with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Nay
Clark Powers	Aye

V. R. Shackelford, III, County Attorney, explained that it is best to let the record reflect the concept plan for the active adult community to be worded as it is properly filed – there was no change of substance but a clarification to the minutes for future reference.

After discussion, on motion of James L. Arrington, seconded by Clark Powers, Minutes #6 are approved as submitted and spread in Minute Book #16, page , through page , with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

After discussion, on motion of James L. Arrington, seconded by Bob Miller, Minutes #7 and Minutes #8 are approved as submitted and spread in Minute Book #16, page , through page , with the following vote recorded:

Eddie Dean	Abstain
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

After discussion, on motion of William L. Crigler, seconded by James L. Arrington, Minutes #9 are approved as submitted and spread in Minute Book #16, page , through page , with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

IN RE: PUBLIC COMMENT

Chairman, Eddie Dean opened the floor for Public Comment.

Bruce Brown was present and verbalized concerns regarding the real estate taxes on his property located at 456 Courtney Hollow Lane (copy provided to the Board); he questioned why personal property taxes increased more than one percent (1%) of the revenue increase as established for Madison County.

Chairman, Eddie Dean stated it appears a house was completed on the property in 2005 (i.e. building permit) and there is a statement that indicates the reassessment is supposed to be revenue neutral with no more than a one percent (1%) revenue increase to the County, which is correct as established by the equalized rate; additionally, the Board has the authority to increase taxes and an increased tax rate was advertised of .44 cents; therefore, this increase wasn't in violation and everything was done in accordance with regulations as established regarding revenue neutral.

Chairman, Eddie Dean also advised that in looking at the revenue neutral and

assessed values of the property, it appears the completion of the improvements to the property was attained and not considered in the reassessment that was implemented in 2005 which is probably why there was such a large jump in value from 2005 to 2008.

Bruce Brown stated his family moved into the house in 2004 and improvements were completed at that time.

Chairman, Eddie Dean questioned the assessed property value (\$85,000.00 on a \$225,000.00 project) and only being assessed at \$109,200.00 after completion of the project, to which Bruce Brown advised the cost of improvements weren't very large.

Bruce Brown questioned the large increase in value; he understands that when the reassessment was implemented, the figures were utilized from property values at least one to two years prior; however, he stated on a national and state level, the real estate rates have decreased significantly which raises questions as to why his property was assessed at such a high rate (i.e. almost double).

In closing, Chairman, Eddie Dean stated during the reassessment, the numbers that were utilized were current figures and not those from one to two years prior; the reassessment was actually implemented in 2007 and applied to the 2008 tax rates.

In closing, Bruce Brown stated he wasn't as concerned for his family as he is for other families in Madison County who are unable to afford the tax rates because of a fixed income – he is more concerns as to how the increases were derived and how this will effect those who cannot afford to pay.

Chairman, Eddie Dean recessed the meeting for five (5) minutes.

Chairman, Eddie Dean reconvened the meeting.

Chairman, Eddie Dean recessed the meeting until 7:30 p.m.

**7:30 P.M.: Meeting reconvened with Chairman, Eddie Dean calling the meeting to order and noted that a Quorum was present and that Bob Miller was absent
IN RE: PUBLIC COMMENT**

Chairman, Eddie Dean opened the floor for public comment and there was none.

IN RE: ELECTORAL BOARD OF MADISON COUNTY

Sandra Powell, Secretary of the Madison County Electoral Board, was present and stated she has been asked by citizens to move the polling place from Todd's Garage back to the Criglersville Elementary School for the fall election. She stated the Justice Department approval would need to be granted and this procedure will take about three (3) to six (6) months. Additionally, she advised the facility currently being utilized provided a restroom but no telephone.

Lisa Robertson, County Administrator, stated that she will check with the Madison Health Department and the Building Official on this matter. Additionally, Lisa Robertson, County Administrator, suggested the Madison Electoral Board verify whether there are any special requirements mandated by the Justice Department.

In closing, it was decided that Sandra Powell will attend the March Board Workshop Session on Thursday, March 26, 2009, during which time the Madison County Electoral Board and the Madison County Board of Supervisors will discuss their findings at that time.

IN RE: MADISON COUNTY PLANNING COMMISSION (Interviews)

The Madison County Board of Supervisors discussed the need to schedule interviews for the applicants on Thursday, March 26, 2009 beginning at 5:00 p.m. with appointments being scheduled in fifteen minute (15) intervals.

IN RE: PUBLIC COMMENT

Chairman, Eddie Dean opened the floor for public comment and there was none.

With no further action being required by the Board, on motion of James L. Arrington, seconded by William L. Crigler, Chairman, Eddie Dean continued the meeting to Monday, March 23, 2009 at 7:30 p.m. in the auditorium, with the following with the following vote recorded: recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Absent
Clark Powers	Aye

Date: March 11, 2009